

FILED

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
AT NASHVILLE

2021 MAR 19 AM 9:50

U.S. DISTRICT COURT
MIDDLE DISTRICT OF TN

TERRY LYNN KING,

Petitioner,

VS.

TONY PARKER, et al.

Respondent.

§
§
§
§
§
§
§
§
§
§

CAPITAL CASE

No. 3:18-cv-01234

JUDGE CAMPBELL

**MOTION FOR ADMISSION *PRO HAC VICE* AND FOR
SUBSTITUTION OF COUNSEL**

TERRY LYNN KING, an indigent, death-sentenced inmate, by and through undersigned counsel and pursuant to 18 U.S.C. § 3599, moves this Court to appoint Alex Kursman and Lynne Leonard (nee Kolodinsky) from the Federal Community Defender Office for the Eastern District of Pennsylvania ("FCDO") in these pending proceedings, and permit the withdrawal of Stephen M. Kissinger, Esq. Mr. King has requested the substitution of counsel and current counsel is not opposed to his request. In support of this motion, Mr. King submits the following:

On March 8, 2021, the United States Court of Appeals for the Sixth Circuit entered an order permitting counsel from the Federal Public Defender for the Eastern District of Tennessee to withdraw as counsel for Mr. King, and appointing the FCDO to represent Mr. King in his federal habeas corpus proceedings. *King v. Mays*, Case No. 13-6387, Dkt No. 161-1 (6th Cir. March 8, 2021).

The FCDO currently represents several death sentenced prisoners within the Sixth Circuit. *See e.g. Caudill v. Conover*, No. 5:10-084-DCR (E.D. Ky.); *Foley v. Hart*, No. 5:17-cv-00471-REW (E.D. Ky.); *Hasan v. Ishee*, No. 1:03-cv-00288-SJD-MRM (S.D. Ohio); *Lang v. Shoop*, No.: 5:12-cv-2923 (N.D. Ohio).

Mrs. Leonard and Mr. Kursman are Assistant Federal Defenders at the FCDO, and are members in good standing in the United States District Court for the Eastern District of Pennsylvania. *See Exhibits A & B* (Certificates of good standing).

This Court has previously granted Mr. King *in forma pauperis* status, Dkt. No. 11. Because undersigned counsel are attorneys at the FCDO tasked with representing indigent death sentenced prisoners, they respectfully request this Court waive any and all fees relating to admission for *pro hac vice* under local rule 83.01(b).

Respectfully Submitted,

/s/Alex Kursman
Assistant Federal Defender
Capital Habeas Unit
Federal Community Defender Office
for the Eastern District of Pennsylvania
601 Walnut Street, Suite 545 West
Philadelphia, PA 19106
(215) 928-0520
Alex_Kursman@fd.org

Dated: March 16, 2021

CERTIFICATE OF CONSULTATION

Pursuant to Local Rule 7.01(a), I certify that on March 12, 2021, I consulted with opposing counsel, Robert Mitchell, concerning this motion and on March 15, 2021, he stated he does not oppose this motion.

/s/Alex Kursman

CERTIFICATE OF SERVICE

I certify on the 16th day of March 2021, a copy of the foregoing motion was filed and served
via FedEx on counsel for Defendants.

Charlotte M. Davis
Tennessee Attorney General's Office
P O Box 20207
Nashville, TN 37202-0207

Miranda H. Jones
Tennessee Attorney General's Office
P O Box 20207
Nashville, TN 37202-0207

Robert W. Mitchell
Tennessee Attorney General's Office
P O Box 20207
Nashville, TN 37202-0207

Scott C. Sutherland
Tennessee Attorney General's Office
P O Box 20207
Nashville, TN 37202-0207

/s/Alex Kursman